

Notice of Allowability

Application No.

08/799,400

Examiner

Michael P. Ferguson

Applicant(s)

SASAKI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07 August 2007 interview, 11 March 2004 appeal brief.
2. ☒ The allowed claim(s) is/are 1-3, 5-21, 23-30 and 32-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 08/07/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen B. Goldman on August 7, 2007.

The application has been amended as follows:

In claim 1, in line 1, after "A closure for" inserted --a--.

In claim 1, in line 28, after "an adhesive" deleted "tape-like" and replaced with
--tape--.

In claim 2, in line 1, after "A closure for" inserted --a--.

In claim 3, in line 1, after "A closure for" inserted --a--.

In claim 5, in line 1, after "A closure for" inserted --a--.

In claim 6, in line 1, after "A closure for" inserted --a--.

In claim 7, in line 1, after "A closure for" inserted --a--.

In claim 8, in line 1, after "A closure for" inserted --a--.

In claim 8, in line 3, after "form of an" deleted "arm-like" and replaced with
--arm--.

In claim 9, in line 1, after "A closure for" inserted --a--.

In claim 10, in line 1, after "A closure for" inserted --a--.

In claim 11, in line 1, after "A closure for" inserted --a--.

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In claim 12, in line 1, after "A closure for" inserted --a--.

In claim 13, in line 1, after "A closure for" inserted --a--.

In claim 14, in line 1, after "A closure for" inserted --a--.

In claim 15, in line 1, after "A closure for" inserted --a--.

In claim 16, in line 1, after "A closure for" inserted --a--.

In claim 17, in line 1, after "A closure for" inserted --a--.

In claim 18, in line 1, after "A closure for" inserted --a--.

In claim 19, in line 1, after "A closure for" inserted --a--.

In claim 20, in line 1, after "A closure for" inserted --a--.

In claim 21, in line 1, after "A closure for" inserted --a--.

In claim 23, in line 1, after "A closure for" inserted --a--.

In claim 24, in line 1, after "A closure for" inserted --a--.

In claim 25, in line 1, after "A closure for" inserted --a--.

In claim 26, in line 1, after "A closure for" inserted --a--.

In claim 27, in line 1, after "A closure for" inserted --a--.

In claim 27, in line 4, after "fittedly holding a" inserted --second--.

In claim 27, in line 8, after "fittedly holding said" inserted --second--.

In claim 28, in line 1, after "A closure for" inserted --a--.

In claim 29, in line 1, after "A closure for" inserted --a--.

In claim 30, in line 1, after "A closure for" inserted --a--.

In claim 30, in line 9, after "1500 to" deleted "2000." And replaced with --2000--.

In claim 32, in line 1, after "A closure for" inserted --a--.

In claim 33, in line 1, after "A closure for" inserted --a--.

In claim 34, in line 1, after "A closure for" inserted --a--.

In claim 34, in line 28, after "an adhesive" deleted "tape-like" and replaced with
--tape--.

In claim 35, in line 1, after "A closure for" inserted --a--.

In claim 36, in line 1, after "A closure for" inserted --a--.

2. The following is an examiner's statement of reasons for allowance:

As to claim 1, Sasaki et al. (JP 08237849 A) disclose the claimed closure with the exception of comprising an adhesive tape gasket locally arranged between the outer periphery of the end plate and an inner surface of the sleeve members so as to cover an outer end of the slit, the gasket arranged on the outer periphery surface of the end plate by adhesion while being conformed to the outer periphery of the end plate and the plurality of peak and valley shaped grooves of the sealing member.

Nimiya et al. (US 4,933,512) disclose a closure comprising an adhesive tape gasket locally arranged between the outer periphery of an end plate and an inner surface of sleeve members. However, there is no motivation for one having ordinary skill in the art at the time the invention was made to modify the closure disclosed by Sasaki et al. or Sasaki et al. in view of Nimiya et al. to have the above mentioned elemental features.

As to claim 32, Sasaki et al. disclose the claimed closure with the exception of the cable guide recess and curved holding member being each provided with holding

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spacers detachable therefrom in a manner to be opposite to each other, respectively; the holding spacers respectively fitted in the cable guide recess of the clamp body and the curved holding member each having a concave inner periphery adapted to abut against the cable.

There is no teaching or suggestion, absent the applicants' own disclosure, for one having ordinary skill in the art at the time the invention was made to modify the closure disclosed by Sasaki et al. to have the above mentioned elemental features.

As to claim 34, Sasaki et al. disclose the claimed closure with the exception of comprising an adhesive tape gasket locally arranged between the outer periphery of the end plate and an inner surface of the sleeve members so as to cover an outer end of the slit, the gasket arranged on the outer periphery surface of the end plate by adhesion while being conformed to the outer periphery of the end plate and the plurality of peak and valley shaped grooves of the sealing member; and the cable guide recess and curved holding member being detachably provided with holding spacers in a manner to be opposite to each other, respectively.

There is no teaching or suggestion, absent the applicants' own disclosure, for one having ordinary skill in the art at the time the invention was made to modify the closure disclosed by Sasaki et al. to have the above mentioned elemental features.

As to claim 35, Sasaki et al. disclose the claimed closure with the exception of wherein the hinges include a plurality of first ring receiving portions formed at a portion of one of the sleeve members in proximity to one of side edges thereof in a manner to be spaced from each other, hinge members each constituted by a first ring pivotally

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arranged at a corresponding one of the first ring receiving portions and a plurality of holding recesses from the hinge members, which holding recesses are arranged at a portion of the other of the sleeve member in proximity to one of side edges therein in a manner to be spaced from each other; and wherein the fasteners include a plurality of second ring receiving portions formed at a portion the other sleeve member in proximity to the other side edge in a manner to be spaced from each other, second rings each pivotally arranged at a corresponding one of the second ring receiving portions, operation levers each pivotally supported at a corresponding one of the second rings and provided at a distal end thereof with a holding projection, and a plurality of fastener receiving portions which are formed at a portion of the one sleeve member in proximity to the other side edge thereof in a manner to be spaced from each other and in which the holding projections of the operation levers are respectively fitted.

Massey (US 4,558,174) discloses a closure wherein fasteners include a plurality of ring receiving portions formed at a portion a sleeve member, rings each pivotally arranged at a corresponding one of the ring receiving portions, operation levers each pivotally supported at a corresponding one of the rings and provided at a distal end thereof with a holding projection, and a plurality of fastener receiving portions which are formed at a portion of another sleeve member and in which the holding projections of the operation levers are respectively fitted. However, there is no motivation for one having ordinary skill in the art at the time the invention was made to modify the closure disclosed by Sasaki et al. or Sasaki et al. in view of Massey to have the above mentioned elemental features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. The following patents show the state of the art with respect to cable connection closures:

DeCarlo et al. (US 5,245,133) and Pichler et al. (US 4,845,314) are cited for pertaining to closures comprising adhesive gaskets.

Dehling (US 5,113,038) is cited for pertaining to closures comprising hinged sleeve fasteners.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (6:30am-3:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MPF

08/08/07


JAMES M. HEWITT
PRIMARY EXAMINER